IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Defective Appeal from Order No. 142 of 2006

Smt. Sudama W/o Sri Bharpuri Mistri,
Village Jakhi, Patti Dugar, Pargana Kirtinagar,
Tehri Garhwal. …… Appellant

Versus

1. United India Insurance Company Ltd.,
through its Divisional Manager,
Ranipur Mode, Haridwar.
2. Vijendra Singh S/o Sri Chandan Singh,
R/o Gawarh Jakhi, Post Jakhi,
Police Station and Pargana Kirtinagar,
Tehri Garhwal. …….. Respondents

None for the appellant.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Appellant's counsel absent.

2. The appeal filed by the appellant on 26.09.2006, for enhancement of the compensation awarded by Motor Accident Claims Tribunal/District Judge, Tehri Garhwal vide Award dated 10.08.2005 passed in M.A.C.P. No. 61 of 2001, is reported to be hopelessly time barred by as many as 322 days.

3. No application for condonation of the delay was filed along with the appeal. In fact, no such application has been filed inspite of grant of opportunities in that behalf vide office orders dated 27.09.2006, 17.10.2006 and 09.11.2006.

4. As the appellant has miserably failed in showing any cause, much less a sufficient cause, for the inordinate delay of 322 days in

filing the appeal, we are left with no other option but to dismiss the appeal as ‘time barred’.

5. The appeal, therefore, is dismissed as ‘time barred’.

(J.C.S. Rawat, J.) 02.12.2006

(Rajeev Gupta, C.J.) 02.12.2006

G